

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN C. GREGG,

Plaintiff,

V.

**RICHARD E. ANDERSON,
DAVID GARVIN, JACK BECKMAN,
MICHELLE SCHWARTZ,
KELLY GODDARD, RAY VELA,
OR CESAR DELAGARZA,
SUBSTITUTE TRUSTEES; AND
SERVIS ONE, DOING BUSINESS AS
BSI FINANCIAL SERVICES, INC.; AND
U.S. BANK TRUST NATIONAL
ASSOCIATION, TRUSTEE OF THE
CABANA SERIES III TRUST,**

Defendants.

§ Civil No.: 4:20-cv-873-ALM-KPJ

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On December 16, 2020, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #29) that Plaintiff Brian C. Gregg’s Emergency Motion for Remand (the “Motion”) (Dkt. #9) be denied.

The Report was mailed to Plaintiff by certified mail on December 17, 2020, but was returned as undeliverable (Dkt. #30). Local Rule CV-11(d) concerns changes of address:

Notices will be sent only to an e-mail and/or mailing address on file. A *pro se* litigant must provide the court with a physical address (i.e., a post office box is not acceptable) and is responsible for keeping the clerk advised in writing of his or her current physical address.

LOCAL RULE CV-11(d).

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, Plaintiff Brian C. Gregg's Emergency Motion for Remand (Dkt. #9) is hereby **DENIED.**

IT IS SO ORDERED.

SIGNED this 7th day of January, 2021.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE